



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

March 8, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Andrew B. Chapman
Plant Manager
Hercules Incorporated
27123 Shady Brook Trail
Courtland, VA 23837

RE: Modification of VPDES Permit No. VA0003433
Hercules, Incorporated
Courtland, VA 23837

Dear Mr. Chapman:

The modification of the above referenced permit has been approved. Additionally, enclosed are copies of the fact sheet pages that describe public participation in the permit modification process. Please replace the pages in fact sheet that you received with the draft permit with these pages.

Your permit is also enclosed. In accordance with the permit, you are required to submit monitoring reports to the following address:

Department of Environmental Quality (DEQ)
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462

The reporting forms are included with the permit. You will be responsible for obtaining additional copies of the reporting forms. The first report (DMR) for outfall 002 under the modified permit is due for the month of April 2011 by May 10, 2011. Reporting for outfall 202 is no longer required beginning with monitoring period starting April, 2011. No other monitoring requirements are affected by this modification.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under Section 62.1-44.16, 62.1-44.17, and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in Section 1.23(b) of the Board's Procedural Rule No. 1. In cases involving actions of the Board, such petition must be

filed within thirty days after notice of such action is mailed to such owner by certified mail.

DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. We anticipate that in the near future all permittees will be participants in the e-DMR program. There are many benefits to both DEQ and the permittee when e-DMR is utilized for submissions:


- 1) Fewer revisions for data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis; and
- 5) Electronic signatures from multiple people are allowed and e-DMR can be accessed from multiple computer locations.

We ask that you apply for e-DMR participation now so that we will be able to complete the application process when your permit is effective. The following website provides details and our regional e-DMR administrator Debbie Kay, phone 757-518-2127, Deborah.kay@deq.virginia.gov can also assist you:

<http://www.deq.virginia.gov/water/edmrfaq.html>

If you have any additional questions, please do not hesitate to contact Mark H. Sauer at 757-518-2105 or by email at mark.sauer@deq.virginia.gov.

Sincerely,


James R. McConathy
Water Permits Manager

JRM/

cc: DEQ - OWPP, TRO File
EPA - Region III (3WP12)

Encl: Permit No. VA0003433
Revised Fact Sheet Page(s)

EPA COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from the U.S. Environmental Protection Agency and noted how resolved.

EPA has no objections to the adequacy of the draft permit.

ADJACENT STATE COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from an adjacent state and noted how resolved.

The draft permit was sent to North Carolina and no comments were received.

OTHER AGENCY COMMENTS RECEIVED ON DRAFT PERMIT: Document any comments received from any other agencies (e.g., VIMS, VMRC, DGIF, etc.) and noted how resolved.

Not Applicable.

OTHER COMMENTS RECEIVED FROM RIPARIAN OWNERS/CITIZENS ON DRAFT PERMIT: Document any comments received from other sources and note how resolved.

The application and draft permit have received public notice in accordance with the VPDES Permit Regulation, and one comment was received. The Blackwater/Nottoway Riverkeeper, Mr. Jeff Turner, was notified of the modification and offered an acknowledgement but no comments to the modification.

PUBLIC NOTICE INFORMATION: Comment Period: Start Date February 4, 2011
End Date March 6, 2011

Persons may comment in writing or by e-mail to the DEQ on the proposed issuance/reissuance/modification of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Mark Sauer at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2105 E-mail: mark.sauer@deq.virginia.gov

Following the comment period, the Board will make a determination regarding the proposed issuance/reissuance/modification. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.